

Delegating children's social care functions

Response by the National Deaf Children's Society

The National Deaf Children's Society (NDCS) is the national charity dedicated to creating a world without barriers for deaf children and young people. We represent the interests and campaign for the rights of all deaf children and young people from birth until they reach independence to ensure that the barriers that deafness can pose are removed to allow deaf children and young people the chance to develop their full potential.

1. Do you agree that the draft regulations will give local authorities freedom to explore a wider range of approaches to discharging their social care functions?

1.1. Agree. No further actions to add.

2. Do you agree with the proposed regulations?

2.1. Deafness is not in itself a learning difficulty and, with the right support, there is no reason why deaf children should not achieve the same developmental, educational, social and economic outcomes as other children and young people. Despite this, national statistics and research show that deaf children are at far greater risk of abuse¹, experiencing mental health difficulties², not achieving key developmental milestones in the early years³, underachieve at school⁴ and be unemployed as young adults⁵.

2.2. NDCS's work seeks to improve the outcomes achieved by deaf children and young people. We focus on 'what works' and seek to ensure we follow an evidence-based approach. We therefore take a neutral position in relation to who provides social care services to deaf children and young people providing that there is evidence that the proposed structure will lead to improved outcomes for deaf children and young people and their families. It is also important that there are clear accountability mechanisms in place – parents must be confident that any concerns they have over provision will be effectively dealt with and responded to?.

2.3. At present we cannot support the current proposals to outsource these vitally important public services to children given the significant concerns raised by both the National Audit office⁶ and the Public accounts committee⁷, who both feel that further work is

¹ Research studies indicate that deaf children are over twice as likely to be abused as other children. Sullivan P.M., Brookhouser P, Scanlan J. (2000) Maltreatment of deaf and hard of hearing children in Hindley, P & Kitson, N,(Eds) *Mental Health and Deafness* (pp.149-184), London :Whurr.

² It is estimated that 40% of deaf children experience mental health problems. Hindley (1993) *Signs of Feeling: A prevalence study of psychiatric disorder in deaf and partially hearing children*. Quoted in *A Sign of the Times: Modernising Mental Health Services for Deaf People* by the Department of Health (2002). Available online at http://webarchive.nationalarchives.gov.uk/+www.dh.gov.uk/en/consultations/closedconsultations/dh_4016951

³ See www.ndcs.org.uk/data.

⁴ 43% of deaf children in England gained five GCSE grades (including English and Maths) at grades A*- C in 2013, compared to 70% of children with no identified special educational needs. See www.ndcs.org.uk/data.

⁵ Office for Disability Issues Annual Report 2008: Annex one: Indicators data reported that between 33% and 52% of deaf adults are unemployed (95% confidence intervals) compared to 20% of non-disabled adults. Figures taken from Labour Force Survey. RNID (2006) Opportunity blocked: The employment experiences of deaf and hard of hearing people reported that one in five deaf adults are unemployed compared to one in twenty of the UK labour market.

⁶ <http://www.nao.org.uk/report/memorandum-role-major-contractors-delivery-public-services/>

⁷ <http://www.nao.org.uk/report/memorandum-role-major-contractors-delivery-public-services/>

needed by the Government to improve the contracting process to ensure that public spending is fully accountable to citizens and achieves the intended outcomes those contracts aim to provide.

3. If/ when these proposals are adopted

- 3.1. If however these proposals are adopted we would strongly urge that regulations are introduced which require the use of contracts or service level agreements which go beyond statutory duties and emphasise national best practice /benchmark/standards in the areas of those services being commissioned.
- 3.2. Providers should be assessed at least annually against these benchmarks by the provider with the purchasing authority retaining the right to commission external auditing of the service.
- 3.3. As a minimum all contracts should explicitly require consultation and feedback from service users and potential users of the service and how this actively shapes service delivery. Also service providers will be required to demonstrate how they work with other providers in order for example to:
 - reduce the duplication of assessments experienced by children and their families
 - share resources if they contribute to shared identifiable outcomes
 - provide clear referral pathways for professionals and service users.
- 3.4. This would ensure that services meet the needs of deaf children and address the concerns shown by national research by Manchester University in 2009 which found that in many areas of England deaf children were not able to access social care services that they were legally entitled to as disabled children⁸. This was echoed by a 2011 Serious Case Review which concluded that the safeguarding needs posed by deafness were not properly considered by children's social care and other involved agencies⁹. Also the recent OFSTED report *Protecting Disabled Children (2012)* which concluded that, "*Most LSCBs and local authorities were not in a position to assess the quality of work to protect disabled children.*"¹⁰
- 3.5. Evidence suggests that statutory legislation is not ensuring that deaf children are accessing children's social care equitably and effective quality assurance measures are not in place. We therefore urge that public or private providers of children's social care services should be held accountable within any contract / service level agreement to adopt Benchmark Quality Standards in order to assess the effectiveness of their activities and publish these annually.
- 3.6. The most comprehensive benchmark standards for social care for deaf children were published in a 2002 document *Deaf children: Positive practice standards in social*

⁸ Young, Hunt, Oram & Smith (2010) *The impact of integrated Children's Services on the scope, delivery and quality of social care services for deaf children and their families*. Available online at: www.ndcs.org.uk/document.rm?id=4668

⁹ Smith, C (Independent Chair) (2011) *Executive summary of a SCR of a child who died aged 2 years 11 months July 2011*. Available via Google search with this title or on request from Kirklees LSCB www.kirkleessafeguardingchildren.co.uk

¹⁰ <http://www.ofsted.gov.uk/resources/protecting-disabled-children-thematic-inspection>

services produced by a consortium of national deaf organisations (including NDCS) with the Local Government Association. <http://www.ndcs.org.uk/document.rm?id=4681>

- 3.7. Whilst the social care landscape has significantly changed since then many of the standards in this document remain valid and emphasise the importance of working in partnership with other providers of services in order to ensure that deaf children's needs are fully recognised and supported where necessary.
- 3.8. Other significant best practice documents which have been developed by NDCS with specialist social care practitioners include:
 - *Social care for deaf children and young people. A guide to assessment and child protection investigations* (2011). Available at: <http://www.ndcs.org.uk/document.rm?id=5771>
 - NDCS Audit tool for LSCBs duties and functions with respect to deaf children (2010). Available at: <http://www.ndcs.org.uk/document.rm?id=5298>
 - NDCS has also produced advice to local authorities on *Working Together* available at www.ndcs.org.uk/WorkingTogether.
 - NHS New-born Screening Hearing Programme Quality Standards include standards with regard to children's social care. Available online at: <http://hearing.screening.nhs.uk/standardsandprotocols#fileid10752>